



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,153	02/26/2004	Tadashi Ichida	SN-US045010	9146
22919 7590 02/05/2007 GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680			EXAMINER CHARLES, MARCUS	
			ART UNIT	PAPER NUMBER
			3682	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/05/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary**Application No.**

10/786,153

Applicant(s)

ICHIDA ET AL.

Examiner

Marcus Charles

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 17-20 is/are rejected.
- 7) ☐ Claim(s) 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>03/26/04, 08/11/05 & 10/04/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is the first action relating to serial application number 10/786,153 filed 02-26-2006.

Claims 1-20 are currently pending.

Drawings

1. The examiner has accepted the drawing filed with this application as formal drawing.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-15 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nanko (6,902,03) in view of DE (4340471) to Butz. In claims 1-2 and 17, Nanko discloses a bicycle front derailleur member comprising a bicycle frame ((13) mounting portion (31) including a curved front surface with a threaded hole (see item 40 in fig. 9) for coupling to the bicycle, a front derailleur mounting portion (see illustration of fig. 3) coupling to the linkage of the derailleur, the front derailleur mounting portion including at least a first pivot (41). Nanko fails to disclose a motor mounting member comprising a motor mounting unit portion for mounting a motor mounting unit. DE (4340471) discloses a mounting unit (106) coupled to a linkage member (9) of a derailleur and is arranged to be coupled to a motor unit, wherein the motor mounting unit is in one piece with a bicycle frame mounting unit (100) and the front derailleur

Art Unit: 3682

mounting portion. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the bicycle frame mounting member of Nanko to include the limitations of DE (4340471) in order to provide the gear changing mechanism means for automatically change the gear ratios and to reduce the number of mounting parts thus increasing accuracy and reducing inadvertent loosening of the mounting parts.

In claim 3, Nanko does not disclose the motor unit-mounting portion includes an output shaft cutout portion having an axis substantially parallel to the pivot axis of the derailleur-mounting portion. DE (4340471) discloses a derailleur-mounting portion has an output shaft cutout (see fig.4). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the derailleur-mounting portion of Nanko to include a cutout the mounting unit of DE (4340471) in order to allow for the accommodation of a motor to automatically manipulate the derailleur.

In claim 4, note DE (4340471) the longitudinal axis of the threaded is substantially parallel to the center of the output shaft axis.

In claims 5 and 6, note DE (4340471) discloses the motor unit mounting hole portion is surrounded by the material of the motor unit-mounting portion.

In claims 7 and 8, note the second axis (44) parallel with the first axis (42).

In claim 9, Nanko (6,902,03) in view of DE (4340471) to Butz disclose the claimed invention.

In claim 10, note the threaded holes (see 45, 46) of Nanko).

In claim 11, DE (4340471) discloses the claimed invention above.

In claim 12, Nanko discloses the claimed invention. Note the projection of the curved front surface of the morning portion (31) (see fig. 3) has the threaded hole.

In claim 13, Nanko discloses the claimed invention (see fig. 3).

In claims 14 and 15, Nanko discloses the claimed invention. See links (32) and (33), each has first and second pivot axes (41 and 42) and 43, 44).

In claims 18-20, Nanko in view of DE (4340471) disclose the claimed invention above.

Allowable Subject Matter

4. Claim 16 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Citation


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Isobe (4,199,997) disclose a derailleur-mounting member of a curved surface for mounting to a bicycle frame. Nanko (6,146,298), Kondo (6,629,903), Nankou (7,081,958), Nanko et al. (7,014,584), EP (1147978) and EP (0757952) disclose a front derailleur having a front derailleur-mounting member. Valle (6,679,797), Campagnolo (6,623,389) disclose a front derailleur having a motor unit mounting member.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus Charles whose telephone number is (571) 272-

7101. The examiner can normally be reached on Monday-Thursday 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ridley Richard can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Marcus Charles
Primary Examiner
Art Unit 3682
January 11, 2007